



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,550
Filed: September 24, 2004
Docket No.: 030848-000026
Title: CENTRALIZED CHECK IMAGE
STORAGE SYSTEM

Confirmation No. 5549

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on MARCH 3, 2005.

Patricia L. Pontello

PATRICIA L. PONTELLO

PETITION BY JOINT INVENTORS FILING ON BEHALF OF OTHER JOINT INVENTOR WHO REFUSES TO JOIN IN APPLICATION OR CANNOT BE REACHED (37 C.F.R. § 1.47(a))

This paper is being filed in response to the Notice to File Missing Parts mailed October 20, 2004, having a reply due date of December 20, 2004. The Commissioner for Patents is petitioned herewith to extend the time for response. Appropriate fees and a separate Petition for Extension of Time are included.

We, joint inventors of the above-identified application, sign below and petition to make this application on behalf of the nonsigning joint inventor:

Richard L. Norman,

who refuses to join in the application.

This petition is accompanied by (i) proof of the pertinent facts, and (ii) the last known address of the nonsigning inventor as set forth in the accompanying:

Statement of Facts in Support of Filing on Behalf of Nonsigning Inventors
(37 C.F.R. § 1.47)

The fee set forth in § 1.17(h) (\$130.00, required by 37 C.F.R. § 1.47), is attached as a check in the amount of \$130.00.


03/09/2005 BABRAHA1 00000042 10711550

01 FC:1464

130.00 OP

A duplicate of this paper is attached.

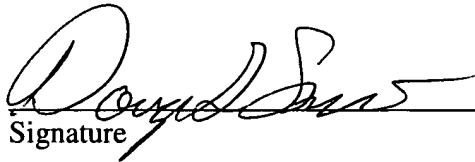
Patrick S. McMonagle



Signature

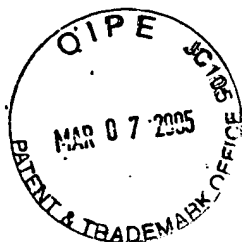
2/24/05
Date

Douglas G. Smith



Signature

2/24/05
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,550
Filed: September 24, 2004
Docket No.: 030848-000026
Title: CENTRALIZED CHECK IMAGE
STORAGE SYSTEM

Confirmation No. 5549

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Alexandria, VA 22313-1450

**STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. § 1.47)**

This statement is made as to the facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application.

This statement is being made by Steven B. Phillips, who is a person with first-hand knowledge of the facts recited herein.

Last Known Address of the Nonsigning Inventor

The nonsigning inventor is Richard L. Norman. Mr. Norman's last known address is:

4040 Lomita Lane
Dallas, TX 75220

Mr. Norman's current address has been verified as shown in Exhibits C, H and I.

Details of Efforts to Obtain Signature by the Nonsigning Inventor

I, Steven B. Phillips, made a diligent effort to get Mr. Norman to execute the declaration. I first forwarded a complete copy of the patent application and the declaration to Mr. Norman, on August 17, 2004 for him to review and execute; however, I never received the signed declaration. A copy of the accompanying letter is included as Exhibit A. A copy of the certified mail receipt is included as Exhibit B. The signed return receipt for the certified mail package was received by me on August 23, 2004, and a copy is attached as Exhibit C. On or about September 8, 2004, I received a telephone call from Dr. Bill Mann, who identified himself as being in charge of patent business matters for J.P. Morgan Chase. Dr. Mann told me that Mr. Norman now works for J.P. Morgan Chase. Dr. Mann further told me that Mr. Norman had received the patent application and declaration. Dr. Mann also expressed the view that Mr.

Norman's current employment with J.P. Morgan Chase prevented Mr. Norman from signing the declaration.

Subsequent to the above events, a determination was made to file a preliminary amendment in the above-mentioned patent application. The amendment was discussed with the other inventors, who agreed that the claim amendments contained in the preliminary amendment altered the inventorship of the above identified application. The preliminary amendment was filed on January 6, 2005. A new declaration reflecting the correct inventorship of the application was sent to Mr. Norman on January 10, 2005, together with another complete copy of the application and a copy of the preliminary amendment. The signed copy of the accompanying letter, explaining the situation and requesting Mr. Norman's signature, has been misplaced; however, an unsigned copy of the letter is attached as Exhibit D. The certified mail receipt is attached as Exhibit E.

On January 24, 2005, I had not received either a signed declaration or the return postcard for the January 10 package. Another letter was prepared and sent on January 24, together with another copy of the application and the preliminary amendment. The January 24 package was sent Express Mail. In the enclosed letter, I requested that Mr. Norman sign the application and return the declaration to me within two weeks. A copy of the enclosed letter is attached as Exhibit F. A copy of the Express Mail receipt is attached as Exhibit G.

On January 31, 2005, I received the reply postcard for the January 10 package. A copy of this reply postcard is attached as Exhibit H. On February 10, 2005, my document clerk, Ms. Lisa Rost, checked the status of the January 24 package on-line and retrieved the delivery information showing Mr. Norman's signature. The delivery information also shows that the January 24 package was delivered to Mr. Norman on January 25, 2005 at 10:56 A.M. A copy of this information is attached as Exhibit I. I have never received the signed declaration from Mr. Norman.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Steven B. Phillips
Registration No. 37,911
Moore & Van Allen PLLC
P.O. Box 13706
Research Triangle Park, NC 27709
Telephone: (919) 286-8000
Facsimile: (919) 286-8199

Date: 17 Feb-05

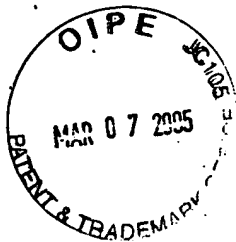


EXHIBIT A

Moore & Van Allen

August 17, 2004

**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED**

Mr. Richard L. Norman
4040 Lomita Lane
Dallas, TX 75220

Steven B. Phillips
Registered Patent Attorney

T 919 286 8124
F 919 416 8324
stevenphillips@mvalaw.com

Moore & Van Allen PLLC

Offices:
Suite 800
2200 West Main Street
Durham, NC 27705-4658

Mailing Address:
Post Office Box 3843
Durham, NC 27702-3843

**Re: U.S. Patent Application for
CENTRALIZED CHECK IMAGE STORAGE SYSTEM
Our File No. 030848-000026**

Dear Mr. Norman:

Enclosed for your signature is a patent application for which you have been identified as a likely inventor. The invention claimed in the application arises out of work you performed while employed by or affiliated with Viewpointe Archive Services, LLC. For your information, I have also enclosed a copy of the provisional patent application which is referenced in the patent application for which you are signing.

Kindly review the materials and if everything is satisfactory, please sign and date the "Declaration for Utility or Design Patent Application" in the boxes indicated on the third page. Also, please sign and date the "Assignment" document where indicated on page 2, and have page 2 signed and dated by a witness where indicated. The witness can be any adult who knows you. After you have signed the documents, please return the package to me using the return materials provided. Please endeavor to return the package to me within about two weeks.

Please note that under U.S. law, all persons involved in the preparation and prosecution of a patent application have an unconditional duty to disclose to the U.S. Patent and Trademark Office any information which may be material to the examination of the application. Thus, you should disclose any such information to me as the attorney prosecuting the patent application. Such information would include, for example, published articles or patent materials which became known to the public prior to the filing of this patent application. Please contact me as soon as possible if you know of any such information.

Please also contact me if you have any questions or concerns with respect to the patent application or the accompanying materials, or if you will be unable to provide the signed documents within the time period specified. If you cannot sign the declaration within the time period specified, it may be necessary to supply you with a different form of declaration to be filed after the application is filed.

Mr. Richard L. Norman
August 17, 2004
Page 2

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,

Moore & Van Allen PLLC

A handwritten signature in black ink, appearing to read "S. B. Phillips", is written over the printed name.

Steven B. Phillips

SBP/pp

Enclosures: Proposed Patent Application
Copy of prior provisional application
Declaration
Assignment

EXHIBIT B



7002 0860 0000 6369 5414

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$ 5.05	0705 03 Postmark Here 08/17/2004
	\$2.30	
Certified Fee	\$1.75	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 9.10	

Sent To
Mr. Richard L. Norman
**Street, Apt. No.,
or PO Box No.** *4040 Lemita Lane*
City, State, ZIP+4 *Dallas, TX 75220*

PS Form 3800, April 2002 See Reverse for Instructions

EXHIBIT C

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: <i>Mr. Richard L. Norman</i> <i>4640 Lomita Lane</i> <i>Dallas, TX 75230</i></p>		<p>B. Received by (Printed Name) <i>R. Norman</i></p>	<p>C. Date of Delivery <i>8/19/04</i></p>
<p>2. Article Number (Transfer from service label) <i>7002 0860 0008 6399 5414</i></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1035</p>			

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Patent Department
 Moore & Van Allen PLLC
 Suite 800
 2200 West Main Street
 Durham, NC 27705

AUG 23 2004

SBP/PP
 030848-026

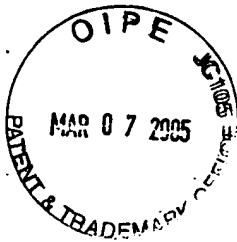


EXHIBIT D

Moore & Van Allen

Steven B. Phillips
Registered Patent Attorney

T 919 286 8124
F 919 416 8324
stevenphillips@mvalaw.com

Moore & Van Allen PLLC

Suite 500
430 Davis Drive
PO Box 13706
Research Triangle Park, NC 27709

Courier:
Suite 500
430 Davis Drive
Morrisville, NC 27560

January 10, 2005

Mr. Richard L. Norman
4040 Lomita Lane
Dallas, TX 75220

Re: U.S. Patent Application Ser. No. 10/711,550
CENTRALIZED CHECK IMAGE STORAGE SYSTEM
Our File No. 030848-000026

Dear Mr. Norman:

As you recall, we sent you a declaration and assignment for the above referenced patent application on August 17, 2004. Our records indicate you received this package on August 19, 2004. The application was subsequently filed on September 24, 2004. However, the claims were amended on January 6, 2005, in such a way as to alter the inventorship on the application.

In view of the amendment filed on January 6th, please discard the materials which were sent to you in August. Enclosed, please find a new declaration, assignment, a copy of the entire patent application as filed, and a copy of the January 6th amendment, which we are providing so that you can see the claims as they now stand. Please carefully review the enclosed documents, sign and date the declaration and assignment, and return the executed documents to us as soon as possible in the enclosed FedEx envelope. Please be advised that we are currently operating under a filing deadline for the declaration document. This deadline does not apply to the assignment document. Thus, if you have difficulty locating an appropriate witness for the assignment document or have any other difficulties with it, please execute the declaration, at least, and return that to us within two weeks of the date of this letter.

We must advise you that anyone who reviews or participates in the preparation of a patent application has an affirmative duty to disclose to the U.S. Patent and Trademark Office any information or prior art of which he or she is aware and which may be material to the patentability of one or more claims in the patent application. Please note that the declaration contains an acknowledgement of this duty. Thus, if you or any other person reviewing or participating in the preparation of the application is aware of, or becomes aware of, any pertinent prior art or other information which may affect the patentability of one or more claims, please let us know immediately. This duty of disclosure continues until the patent issues. For your information, we have already disclosed to the U.S. Patent and Trademark Office the existence of United States Patent Application Publication 2003/0208421, on which you are an inventor.

Mr. Richard L. Norman
January 10, 2005
Page 2

If you have any questions or concerns, please feel free to contact me. Thank you in advance for your prompt attention to this matter.

Very truly yours,

Moore & Van Allen PLLC

Steven B. Phillips

SBP/lar
Enclosure

EXHIBIT E

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage \$ 13.85
 Certified Fee \$ 2.30
 Return Receipt Fee (Endorsement Required) \$ 1.75
 Restricted Delivery Fee (Endorsement Required) \$ 0.00
 Total Postage & Fees \$ 17.90

Sent To
 Mr. Richard L. Norman
 Street, Apt. No.;
 or PO Box No. 4040 Lomita Lane
 City, State, ZIP+4 Dallas TX 75220

PS Form 3800, April 2002 See Reverse for Instructions

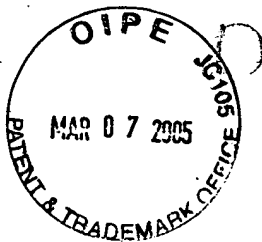


EXHIBIT F

FILE COPY

Moore & Van Allen

**VIA EXPRESS MAIL
RETURN RECEIPT REQUESTED**

January 24, 2005

Steven B. Phillips
Registered Patent Attorney

T 919 286 8124
F 919 416 8324
stevenphillips@mvalaw.com

Moore & Van Allen PLLC

Suite 500
430 Davis Drive
PO Box 13706
Research Triangle Park, NC 27709

Courier:
Suite 500
430 Davis Drive
Morrisville, NC 27560

Mr. Richard L. Norman
4040 Lomita Lane
Dallas, TX 75220

**Re: U.S. Patent Application Ser. No. 10/711,550
CENTRALIZED CHECK IMAGE STORAGE SYSTEM
Our File No. 030848-000026**

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EU 132281818 US

Mr. Richard L. Norman
January 24, 2005
Page 2

If you have any questions or concerns, please feel free to contact me. Thank you in advance for your prompt attention to this matter.

Very truly yours,

Moore & Van Allen PLLC

A handwritten signature in black ink, appearing to read "Steven B. Phillips", written over a horizontal line.

Steven B. Phillips

SBP/lar
Enclosure



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ORIGIN (POSTAL USE ONLY)

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Date in Mo. Day Year 1 24 05	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$
Time in <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee 1.75
Weight 4.77 lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
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www.usps.com



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Label 11-B May 2001

EXHIBIT H

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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1. Article Addressed to: <i>Mr. Richard L. Norman</i> <i>4040 Lomita Lane</i> <i>Dallas, TX 75220</i>		B. Received by (Printed Name) <i>RICHARD L. NORMAN</i>	C. Date of Delivery <i>1-22-05</i>
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, August 2001		Domestic Return Receipt	
		102595-02-M-1035	

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Patent Department
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Research Triangle Park, NC 27709

SCP/PP
030 848-026

EXHIBIT I



Date: 02/10/2005

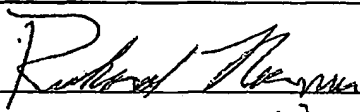


LISA ROST:

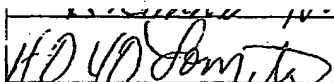
The following is in response to your 02/10/2005 request for delivery information on your Express Mail item number EU13 2281 818U S. The delivery record shows that this item was delivered on 01/25/2005 at 10:56 AM in DALLAS, TX 75220 to R NOMAN. The scanned image of the recipient information is provided below.

Delivery Section

Signature of Recipient:


RICHARD NORMAN

Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service